

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUKE D. BLACKFORD,

Defendant.

8:13CR451

ORDER

This matter is before the court on the Petition for Action on Conditions of Pretrial Release (Petition) regarding defendant Luke D. Blackford (Blackford) (Filing No. 54). Blackford was ordered released upon conditions pending further proceedings on March 3, 2014 (Filing No. 37). Blackford was to reside at Stephen Center HERO program in Omaha, Nebraska, and abide by other conditions of release. The conditions were modified on October 29, 2014 (Filing No. 50). On May 11, 2015, Pretrial Services Officer Lisa L. Caviness submitted a Petition alleging Blackford had violated the conditions of his release by being arrested on two counts of aggravated assault in Carter Lake, Iowa. A warrant for Blackford's arrest was issued.

Blackford appeared before Magistrate Judge F.A. Gossett on May 15, 2015, and requested a detention hearing. The hearing was scheduled before the undersigned magistrate judge on May 28, 2015. Blackford appeared with his counsel Assistant Federal Public Defender Julie B. Hansen. The United States was represented by Assistant U.S. Attorney Thomas J. Kangior. The court took judicial notice of the Pretrial Services Violation Report (Filing No. 58). No further evidence was presented by either side. The court finds the allegations of the petition are generally true and Blackford has violated the conditions of his release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release should be revoked. Blackford has demonstrated he is unable to comply with rules of his release.

IT IS ORDERED:

1. The Petition For Action on Conditions of Pretrial Release (Filing No. 54) is granted.
2. The Order Setting Conditions of Release of Luke D. Blackford (Filing No. 37, as modified by Filing No. 50) is hereby revoked.
3. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 28th day of May, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge